

JS 44C/SDNY
REV. 06/01/17

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
U.S. Securities and Exchange Commission

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
Sanjay Wadhwa, U.S. Securities and Exchange Commission, New York
Regional Office, 200 Vesey Street, Suite 400, New York, New York 10281
(212) 336-1023

DEFENDANTS
Barry C. Honig, John Stetson, Michael Brauser, John R. O'Rourke III, Mark Groussman, Phillip Frost, Robert Ladd, Elliot Maza, Brian Keller, John H. Ford,
SEE ADDENDUM

ATTORNEYS (IF KNOWN)
SEE ADDENDUM

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Violations of federal securities laws (15 U.S.C. §§ 77e; 77q; 77o; 78i; 78j(b); 78m; 78o; 78t; SEE ADDENDUM)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE? No Yes

(PLACE AN [X] IN ONE BOX ONLY)

NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 1375 FALSE CLAIMS	
[] 120 MARINE	[] 315 AIRPLANE PRODUCT LIABILITY	PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 1376 QUI TAM	
[] 130 MILLER ACT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY PRODUCT LIABILITY	21 USC 881	[] 423 WITHDRAWAL	[] 1400 STATE	REAPPORTIONMENT
[] 140 NEGOTIABLE INSTRUMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	[] 1410 ANTITRUST	
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 340 MARINE LIABILITY	PERSONAL PROPERTY	PROPERTY RIGHTS		[] 1430 BANKS & BANKING	
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT LIABILITY	[] 370 OTHER FRAUD	[] 820 COPYRIGHTS		[] 1450 COMMERCE	
[] 152 RECOVERY OF DEFULTED STUDENT LOANS (EXCL VETERANS)	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 830 PATENT		[] 1460 DEPORTATION	
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY		[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION		[] 1470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[] 160 STOCKHOLDERS SUITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE	[] 840 TRADEMARK	SOCIAL SECURITY	[] 1480 CONSUMER CREDIT	
[] 160 STOCKHOLDERS SUITS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE			[] 1490 CABLE/SATELLITE TV	
[] 160 STOCKHOLDERS SUITS		PRODUCT LIABILITY	[] 710 FAIR LABOR STANDARDS ACT		[] 1850 SECURITIES/ COMMODITIES/ EXCHANGE	
[] 190 OTHER CONTRACT		PRISONER PETITIONS	[] 720 LABOR/MGMT RELATIONS		[] 1890 OTHER STATUTORY ACTIONS	
[] 195 CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES	[] 463 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	[] 1891 AGRICULTURAL ACTS	
[] 196 FRANCHISE	CIVIL RIGHTS	[] 510 MOTIONS TO VACATE SENTENCE	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 1893 ENVIRONMENTAL MATTERS	
		28 USC 2255		[] 1871 IRS-THIRD PARTY	[] 1895 FREEDOM OF INFORMATION ACT	
		[] 530 HABEAS CORPUS	[] 790 OTHER LABOR LITIGATION	26 USC 7609	[] 886 ARBITRATION	
		[] 535 DEATH PENALTY	[] 791 EMPL RET INC SECURITY ACT (ERISA)		[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
		[] 540 MANDAMUS & OTHER			[] 950 CONSTITUTIONALITY OF STATE STATUTES	
REAL PROPERTY		[] 441 VOTING	IMMIGRATION			
[] 210 LAND CONDEMNATION	[] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION			
[] 220 FORECLOSURE	[] 443 HOUSING/ ACCOMMODATIONS	[] 550 CIVIL RIGHTS	[] 465 OTHER IMMIGRATION ACTIONS			
[] 230 RENT LEASE & EJECTMENT	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION				
[] 240 TORTS TO LAND	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT				
[] 245 TORT PRODUCT LIABILITY						
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION					

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from (Specify District)	<input type="checkbox"/> 6 Multidistrict Litigation (Transferred)	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
						<input type="checkbox"/> 8 Multidistrict Litigation (Direct File)
<input type="checkbox"/> a. all parties represented						
<input type="checkbox"/> b. At least one party is pro se.						

(PLACE AN X IN ONE BOX ONLY)

1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1 DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF [] 3 DEF [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5 DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

U.S. Securities and Exchange Commission
 New York Regional Office
 200 Vesey Street, Suite 400
 New York, NY 10281
 New York County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

See Attached

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTANDATE 9/7/18

SIGNATURE OF ATTORNEY OF RECORD

Sanjay Wadhwa

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
 YES (DATE ADMITTED Mo. Nov. Yr. 2005)
 Attorney Bar Code # SW-2457

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Securities and Exchange Commission v. Barry C. Honig, et al.
Civil Cover Sheet Addendum

Full List of Defendants

Barry C. Honig, John Stetson, Michael Brauser, John R. O'Rourke III, Mark Groussman, Phillip Frost, Robert Ladd, Elliot Maza, Brian Keller, John H. Ford, Alpha Capital Anstalt, ATG Capital LLC, Frost Gamma Investments Trust, GRQ Consultants, Inc., HS Contrarian Investments, LLC, Grander Holdings, Inc., Melechdavid, Inc., OPKO Health, Inc., Southern Biotech, Inc., and Stetson Capital Investments Inc.

Full List of Civil Statutes Under Which the Complaint Is Filed

Violations of federal securities laws (15 U.S.C. §§ 77e; 77q; 77o; 78i; 78j(b); 78m; 78o; 78t; 17 C.F.R. §§ 240.10b-5; 240.12b-20; 240.13a-1; 240.13d-1; 240.15d-1)

Defendants' Attorneys (if known)

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John H. Ford

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Defendants' Addresses and Counties

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2650 N. Military Trail, Suite 300
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(Palm Beach County)

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Miami Beach, FL 33140
(Miami-Dade County)

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